

Administrative Procedures

In the Fifth Report and Order¹ the Federal Communications Commission (FCC or Commission) directed the Universal Service Administrative Company (USAC) “to submit to the Commission [. . .] a list summarizing all current USAC administrative procedures identifying, where appropriate, the specific rules or statutory requirements that such procedures further, and those procedures that serve to protect against waste, fraud and abuse.”²

Listed below are administrative procedures that are currently used to lead to Schools and Libraries Support Mechanism funding decisions that are not explicitly stated in a Commission rule. To the extent that an administrative procedure is in place that was not originally based on a Commission rule, order, or appeal, but there is currently a rule, order, or appeal requiring that action be taken, we have not indicated the time period during which the procedure was in place for which there was no explicit rule, order, or appeal.

The procedures are listed by USAC’s Schools and Libraries Division’s (SLD) operational activity category.

Background

The Commission has designated USAC as the permanent administrator of the federal universal service support mechanisms.³ Administration of the Schools and Libraries Support Mechanism is the responsibility of USAC and its Schools and Libraries Division⁴ under the oversight of the Schools and Libraries Committee⁵ of the USAC Board of Directors. The Commission tasked the USAC Schools and Libraries Committee with making the following types of decisions in accordance with Commission rules and oversight:

- (ii) development of applications and associated instructions as needed for the schools and libraries mechanism; (iii) administration of the application process, including activities to ensure compliance with FCC rules and regulations; (iv) the

¹ See *Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Fifth Report and Order and Order, FCC 04-190, (2004) (*Fifth Report and Order*).

² *Id.* ¶¶ 80. USAC understands this to apply to Schools and Libraries Support Mechanism procedures only at this time.

³ 47 C.F.R. § 54.701(a)(appointing USAC as the permanent administrator of the universal service support mechanisms).

⁴ 47 C.F.R. § 54.701(c)(1)(i)(directing USAC to establish the Schools and Libraries Division).

⁵ 47 C.F.R. § 54.701(b)(directing USAC’s Board of Directors to establish the Schools and Libraries Committee).

Administrative Procedures

performance of outreach and education functions; and (v) development and implementation of other distinctive functions.⁶

USAC is responsible for “administering the universal service support mechanisms in an efficient, effective, and competitively neutral manner.”⁷ USAC is further required to take “administrative action intended to prevent waste, fraud, and abuse.”⁸ Thus, in order to administer the support mechanisms effectively and efficiently, Commission rules indicate that USAC must design and implement operating procedures. Such procedures designed by USAC have been in place since the inception of the Schools and Libraries Support Mechanism. The Commission has recognized that it has “vested in the Schools and Libraries Committee and SLD the responsibility for administering the application process for the universal service support mechanism for eligible schools and libraries.”⁹ Pursuant to this responsibility, USAC reviews all applications and invoices according to detailed Program Integrity Assurance (PIA) review and other applicable procedures to ensure that USAC’s decisions are in compliance with Commission rules, orders, appeals decisions, and guidance. PIA procedures are reviewed and updated annually and otherwise as needed, with Wireline Competition Bureau (WCB) oversight and guidance. Any party aggrieved by a USAC decision can appeal that decision to USAC and to the Commission.¹⁰

⁶ *Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, Federal State Joint Board on Universal Service, Third Report and Order and Fourth Order on Reconsideration in CC Docket No. 97-21 and Eighth Order on Reconsideration in CC Docket No. 96-45, 13 FCC Rcd 25058, 25075-76, para. 30 (1998).

⁷ 47 C.F.R. § 54.701(a).

⁸ 47 C.F.R. § 54.702(h).

⁹ *E.g., Request for Review of the Decision of the Universal Service Administrator by Project Interconnect*, Federal-State Joint Board on Universal Service, *Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, File No. SLD-146858, 146854, CC Docket Nos. 96-45, 97-21, Order, DA 01-1620, ¶¶ 8-9 (2002).

¹⁰ 47 C.F.R. § 54.719.

Administrative Procedures

TABLE OF CONTENTS

	CATEGORY OF PROCEDURE	DESCRIPTION OF PROCEDURE	PAGE
1	Appeals to the Administrator	Standard of review for appeals by the Administrator	
2	Commitment Adjustments and Recovery of Improperly Disbursed Funds	Recovery is suspended if applicant and/or service provider has appealed to USAC or the FCC	
3		<i>De minimis</i> standard	
4	Forms Processing	FCC Form 486 Service Start Date Programmatic Changes	
5		FCC Form 500 Service Start Date Programmatic Changes	
6		Minimum Processing Standards	
7	Invoicing	Disbursements are made to the Service Provider Identification Number (SPIN) associated with each Funding Request Number (FRN)	
8		Equipment generally must be delivered within the fund year with certain exceptions	
9		Good Samaritan Procedure	
10		Invoice Deadlines	
11		Invoice Deadline Extension	
12	Overall	7-Day Process	
13	Program Integrity Assurance	30% Rule	
14		Consortium Reviews	
15		Duplicative services	
16		Eligibility of incidental costs	
17		Entity included in posting of FCC Form 470	
18		Mixed Bucket Review	
19		On Premise Equipment for End-to-End Priority 1 Service	

Administrative Procedures

21		Verification that applicant posted FCC Form 470 seeking category of service for which it seeks discounts on the FCC Form 471.	
22		Remote access capabilities in products or services	
23		Split Funding Requests	
24		Tainted FCC Forms 470	
25		Tariff and Month-to-Month Services	
26		Amortization of Upfront Costs for Service Provider Infrastructure	
27		Contract extensions based on the applicable deadline for implementation of non-recurring services	
28	Service Substitutions	Service Substitution Deadline	
29	SPIN Changes	Global SPIN changes	
30		Operational SPIN change	

Administrative Procedures

Appeals to the Administrator

Administrative Procedure:

Standard of review for appeals by the Administrator.

Further Detail:

USAC grants appeals consistent with the following guidelines, assuming there are no other issues identified during review:

When the appeal makes clear that SLD erred in its initial review. When the appeal makes clear that the applicant made a mistake in information provided in or with the application leading to funding denial and that SLD could have identified the mistake from information provided with the application. If the applicant made a mistake in completing the FCC Form 471 (for example, put in the wrong contract award date in Block 5) and had provided information to SLD either with the application or during PIA review (for example, provided a copy of the contract to PIA during review with the award date indicated) and when the appeal points out the mistake (the wrong contract award date) and how SLD could have seen the mistake (from the contract provided during review), SLD will grant the appeal.

When the appeal provides documentation to correct an assumption SLD made because there was insufficient information in the application file about an issue. In general, PIA will contact the applicant and ask for all information necessary to make decisions about an application. If that contact does not occur, however, and funding is denied based on an incorrect assumption, the SLD will grant an appeal when the appellant points out the incorrect assumption and provides documentation about the issue that is consistent with information originally provided but also successfully resolves the ambiguity in the original file.

When SLD obtains policy clarification or new policies between the time of funding commitment and the appeal decision. Over the life of the program to date, the Commission has clarified policies that result in changing the way SLD responds to funding requests. For example, remote access routers were viewed as ineligible products because they could be used to access the Internet remotely from ineligible sites, but the Commission ruled in an appeal decision that such routers can be eligible if they are not used remotely. As a result, SLD granted subsequent appeals that met the conditions for eligibility.

Consistent with these guidelines, SLD will not accept new information on appeal that is inconsistent with information in the file used during review.

Administrative Procedures

Rules that this furthers:

1. 47 C.F.R. § 54.719(a) provides that “any person aggrieved by an action taken by a division of the Administrator” may appeal that action to the appropriate Committee of the Board. The rules do not specify the standard of review for appeals of Administrator decisions.
2. 47 C.F.R. § 54.500 *et seq.*

How this protects against waste, fraud and abuse:

Since new information is not generally accepted on appeal, this prevents appellants from altering documentation to support the appeal.

Administrative Procedures

Commitment Adjustments and Recovery of Improperly Disbursed Funds

Administrative Procedure:

USAC suspends further action to recover funds after a Commitment Adjustment or Recovery of Improperly Disbursed Funds decision if the applicant and/or service provider has appealed the decision to USAC or to the Commission.

Further Detail:

USAC does not continue to seek recovery of funds if there is a pending appeal with either USAC or the Commission.¹¹

Rules that this furthers:

1. USAC's authority to adjust funding commitments and recover funds is established by the following orders: *Changes to the Board of Directors of the National Exchange Carrier Association*, CC Docket Nos. 97-21, 96-45, FCC 99-291 (1999); *Changes to the Board of Directors of the National Exchange Carrier Association*, CC Docket Nos. 97-21, 96-45, FCC 00-350 (2000); *Federal-State Joint Board on Universal Service, Changes to the Board of Directors for the National Exchange Carrier Association, Inc., Schools and Libraries Universal Service Support Mechanism*, Order on Reconsideration and Fourth Report and Order, CC Docket Nos. 96-45, 97-21, 02-6, FCC 04-181 (2004)(*Fourth Report and Order*); *Fifth Report and Order* ¶¶ 79-80 (2004).
2. 47 C.F.R § 54.701(a) requires USAC to “administer[] the universal service support mechanisms in an efficient, effective, and competitively neutral manner.”
3. 47 C.F.R. § 54.702(h) requires USAC to take “administrative action intended to prevent waste, fraud, and abuse.”

How this protects against waste, fraud and abuse:

USAC administers the support mechanisms in an efficient and effective manner to reduce operating costs by conserving administrative resources and protect against waste by not seeking recovery when an appeal could be granted.

¹¹ USAC is currently seeking guidance from Commission staff with respect to this issue.

Administrative Procedures

Administrative Procedure:
De minimis standard

Further Detail:

USAC has not sought recovery of funds when the cost of seeking repayment is greater than the aggregated repayment amount. USAC has set the threshold at \$100, but has not dismissed the potential recoveries pending guidance from the Commission. The Commission provided guidance in the *Fifth Report and Order*,¹² and consistent with the Commission's guidance will provide data to the Commission that it can use to set a *de minimis* standard.

Rules that this furthers:

1. Prior to the *Fifth Report and Order*, no specific rule required USAC to suspend action to recover funds for *de minimis* amounts.
2. USAC's authority to adjust funding commitments and recovery funds is established by the following orders: *Changes to the Board of Directors of the National Exchange Carrier Association*, CC Docket Nos. 97-21, 96-45, FCC 99-291 (1999); *Changes to the Board of Directors of the National Exchange Carrier Association*, CC Docket Nos. 97-21, 96-45, FCC 00-350 (2000); *Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Schools and Libraries Universal Service Support Mechanism*, Order on Reconsideration and Fourth Report and Order, CC Docket Nos. 96-45, 97-21, 02-6, FCC 04-181 (2004); *Fifth Report and Order* ¶¶ 79-80.
3. 47 C.F.R. § 54.701(a) requires USAC to "administer[] the universal service support mechanisms in an efficient, effective, and competitively neutral manner."
4. 47 C.F.R. § 54.702(h) requires USAC to take "administrative action intended to prevent waste, fraud, and abuse."
5. 47 C.F.R. § 54.708 establishes a *de minimis* exemption for carrier contributions to the Universal Service Fund.

¹² *Fifth Report and Order* ¶ 35.

Administrative Procedures

How this protects against waste, fraud and abuse:

USAC administers the support mechanisms in an efficient and effective manner to reduce operating costs by conserving administrative resources and protect against waste by not seeking recovery when the cost of recovering the funds is greater than the amount for which recovery is sought.

Administrative Procedures

Forms Processing

Administrative Procedure:

FCC Form 486 Service Start Date Programmatic Changes

Further Detail:

If the FCC Form 486 postmark date is 120 or more days after the Funding Commitment Decision Letter (FCDL) date or 120 or more days after the Service Start Date on the form, adjust the Service Start Date to the postmark date less 120 days. Reduce the recurring commitment amount accordingly. This does not affect the non-recurring commitment amount.

Rules that this furthers:

1. 47 C.F.R. § 54.507(b) provides that (with the exception of Funding Year 1998), “a funding year for the purposes of the schools and libraries cap shall be the period July 1 through June 30.”
2. 47 C.F.R. § 54.507(d) requires applicants to file funding requests on an annual basis, to “use recurring services for which discounts have been committed by the Administrator within the funding year for which the discounts were sought,” establishes deadlines for implementation of non-recurring services, and the criteria for USAC to use to determine whether an applicant’s request for an extension of the implementation deadline can be granted.
3. 47 C.F.R. § 54.504(b)(4) prohibits applicants from signing contracts with service provider(s) prior to the expiration of the 28 posting period for the FCC Form 470.
4. 47 C.F.R § 54.701(a) requires USAC to “administer[] the universal service support mechanisms in an efficient, effective, and competitively neutral manner.”
5. 47 C.F.R. § 54.702(h) requires USAC to take “administrative action intended to prevent waste, fraud, and abuse.”

Administrative Procedures

How this protects against waste, fraud and abuse:

Adjusting the Service Start Date based on the FCC Form 486 postmark date encourages applicants to file the FCC Form 486 in a timely manner.

Administrative Procedures

Forms Processing

Administrative Procedure:

FCC Form 500 Service Start Date Programmatic Changes

Further Detail:

If the FCC Form 500 New Service Start Date is prior to the FCC Form 486 Service Start Date, and if the FCC Form 486 postmark date is 120 or more days after the Funding Commitment Decision Letter (FCDL) date, or the FCC Form 486 postmark date is 120 or more days later than the FCC Form 500 New Service Start Date, adjust the FCC Form 500 Service Start Date to the later of the two dates less 120 days.

Rules that this furthers:

1. 47 C.F.R. § 54.507(b) provides that (with the exception of Funding Year 1998), “a funding year for the purposes of the schools and libraries cap shall be the period July 1 through June 30.”
2. 47 C.F.R. § 54.507(d) requires applicants to file funding requests on an annual basis, to “use recurring services for which discounts have been committed by the Administrator within the funding year for which the discounts were sought,” establishes deadlines for implementation of non-recurring services, and the criteria for USAC to use to determine whether an applicant’s request for an extension of the implementation deadline can be granted.
3. 47 C.F.R. § 54.701(a) requires USAC to “administer[] the universal service support mechanisms in an efficient, effective, and competitively neutral manner.”
4. 47 C.F.R. § 54.702(h) requires USAC to take “administrative action intended to prevent waste, fraud, and abuse.”

How this protects against waste, fraud and abuse:

Efficient administration of the program reduces operating costs, thereby reducing waste of Universal Service Fund (USF) funds.

Administrative Procedures

Forms Processing

Administrative Procedure:

Minimum Processing Standards

Further Detail:

Minimum processing standards (MPS) are identified on the instructions for each FCC Form. Failure to comply with these standards leads to rejection of the form. Minimum processing standards for the forms are subject to revision on an annual basis. The draft forms currently being reviewed by the Commission include the following:

- MPS for the FCC Form 470 include: (1) correct form, (2) applicant address and identifications, (3) submission of all five blocks, and (4) valid certification.
- MPS for the FCC Form 471 include: (1) correct form, (2) billed entity information, and (3) complete submission of all blocks of the form (4) at least one completed Block 4, (5) at least one completed Block 5, and (6) valid certification.
- MPS for the FCC Form 486 include: (1) correct form, (2) complete submission, (3) billed entity information, (4) service information, (5) CIPA certification, and (6) valid certification.

Rules that this furthers:

1. The Commission has affirmed USAC's "authority to implement minimum processing standards and to reject those applications that fail to meet those standards." *E.g., Request for Review of the Decision of the Universal Service Administrator by Deer Park Community Consolidated Elementary School District No. 82, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, File No. SLD-253932, CC Dockets No. 96-45, 97-21, Order, DA 02-940 (2002).
2. 47 C.F.R. § 54.701(a) requires USAC to "administer[] the universal service support mechanisms in an efficient, effective, and competitively neutral manner."
3. 47 C.F.R. § 54.702(h) requires USAC to take "administrative action intended to prevent waste, fraud, and abuse."

Administrative Procedures

How this protects against waste, fraud and abuse:

Efficient administration of the program reduces operating costs, thereby reducing waste of USF funds.

Administrative Procedures

Invoicing

Administrative Procedure:

Disbursements are made to the Service Provider Identification Number (SPIN) associated with each Funding Request Number (FRN).

Further Detail:

Service Providers submit a FCC Form 498 to USAC to obtain a Service Provider Identification Number (SPIN). On the FCC Form 498, the service provider indicates the type of entity, and provides certain information including the 499 Filer ID if applicable, Federal Employer Identification Number, Contact Information and Remittance Information for each support mechanism, certification letter, and certification.

Each Funding Request Number (FRN) on Block 5 of the FCC Form 471 specifies the Service Provider Name and SPIN that will be providing the services. USAC disburses funds to the service provider SPIN associated with each FRN.

Rules that this furthers:

1. 47 C.F.R. § 54.504(b) requires applicants to seek competitive bids by posting a FCC Form 470 to the USAC website for a minimum of 28 days to initiate the competitive bidding process.
2. 47 C.F.R. § 54.511(a) requires applicants to “carefully consider all bids submitted and must select the most cost-effective service offering. In determining which service offering is the most cost-effective, entities may consider relevant factors other than pre-discount process submitted but price should be the primary factor considered.”
3. 47 C.F.R. § 54.504(c) requires applicants to submit a FCC Form 471 to USAC after signing a contract for eligible services.
4. Commission rules allow applicants to request SPIN changes after USAC has issued an FCDL when an applicant certifies that (1) the SPIN change is allowed under state and local procurement rules and under the terms of the contract between the applicant and its service provider, and (2) the applicant has notified its original service provider of its intent to change service providers. *Request for Review of the Decision of the Universal Service Administrator by Copan Public Schools, Changes to the Board of Directors*

Administrative Procedures

of the National Exchange Carrier Association, Inc., File No. SLD-26231, CC Dockets No. 96-45, 97-21, Order, ¶ 6, DA 00-100 (2000).

5. 47 C.F.R § 54.701(a) requires USAC to “administer[] the universal service support mechanisms in an efficient, effective, and competitively neutral manner.”
6. 47 C.F.R. § 54.702(h) requires USAC to take “administrative action intended to prevent waste, fraud, and abuse.”

How this protects against waste, fraud and abuse:

Ensures that disbursements are made to the service provider that provided the goods and services and that submitted the invoice to USAC. Ensures the integrity of the competitive bidding process by allowing applicants to change service providers only under enumerated circumstances.

Administrative Procedures

Administrative Procedure:

Equipment generally must be delivered within the funding year with some exceptions including the following:

Further Detail:

Delivery of service must be within x days of contract expiration date;

Certain components of Priority 1 services may be pre-installed prior to the fund year and then reimbursed during the funding year;

Certain mobilization services will be reimbursed prior to service delivery if contractual recovery mechanisms are in place at the time of the FCC Form 471 filing.

Rules that this furthers:

1. 47 C.F.R. § 54.507(b) provides that (with the exception of Funding Year 1998), “a funding year for the purposes of the schools and libraries cap shall be the period July 1 through June 30.”
2. 47 C.F.R. § 54.507(d) requires applicants to file funding requests on an annual basis, to “use recurring services for which discounts have been committed by the Administrator within the funding year for which the discounts were sought,” establishes deadlines for implementation of non-recurring services, and the criteria for USAC to use to determine whether an applicant’s request for an extension of the implementation deadline can be granted.
3. Commission rules require that “in limited situations, the infrastructure costs incurred by a telecommunications provider in preparation for the commencement of telecommunications service should be deemed to be recoverable beginning in the year in which the telecommunications service commences.” *Request for Review of the Decision of the Universal Service Administrator by Nassau County Board of Cooperative Educational Services, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, File No. SLD-139083, CC Dockets No. 96-45, 97-21, Order, ¶¶ 1, 7-11, DA 02-3365 (2002); *See also Request for Review of the Decision of the Universal Service Administrator by Integrated Systems and Internet Solutions, Inc., Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, File No. SLD-18132, CC Dockets No. 96-45, 97-21, Order, FCC 99-216 (1999).

Administrative Procedures

How this protects against waste, fraud and abuse:

Ensures that USAC pays only for eligible services that include reasonable infrastructure costs related to Telecommunications Services and Internet Access services.

Administrative Procedures

Administrative Procedure:

Good Samaritan Procedure

Further Detail:

An applicant may receive reimbursements due to it when it has received services for which USAC has approved funding and it has paid its service provider the full undiscounted costs, but the service provider is unable to process a Billed Entity Applicant Reimbursement Form (BEAR or FCC Form 474) because, for example, the service provider has gone out of business or has filed bankruptcy prior to the applicant submitting the BEAR Form.

Under this procedure, a telecommunications carrier agrees to serve as the conduit and receive the payment from USAC which it then passes through to the applicant.

Rules that this furthers:

1. 47 C.F.R. §§ 54.501(a), 54.517 authorize USAC to make disbursements to telecommunications carriers and non-telecommunications carriers for providing supported services to eligible entities.
2. 47 C.F.R. § 54.514(b) requires service providers that receive discount reimbursement checks from USAC after receiving full payment from the billed entity to remit the discount amount to the billed entity no later than 20 days after receiving the reimbursement check.
3. The Good Samaritan Procedure was not established by Commission rule, but the procedure has been used based on informal guidance from the Commission.
4. The Commission recognized this procedure in the *Fourth Report and Order* ¶ 17 fn 39.

How this protects against waste, fraud and abuse:

Ensures that applicants receive reimbursements due to them in situations in which the service provider that provided the services can no longer serve as a conduit to pass the funds to the applicant. Protects the applicant's reimbursement from being the subject of bankruptcy litigation when the service provider that delivered the services is in Chapter 7 bankruptcy.

Administrative Procedures

Administrative Procedure:

Invoice Deadlines

Further Detail:

FCC Forms 472 and 474 must be received within 120 days of the last date of service, or 120 days after the date of the FCC Form 486 Notification Letter, whichever is later. Disbursements are not made in response to forms received after that date, unless an extension is appropriate.

Rules that this furthers:

1. 47 C.F.R. § 54.507(b) provides that (with the exception of Funding Year 1998), “a funding year for the purposes of the schools and libraries cap shall be the period July 1 through June 30.”
2. 47 C.F.R. § 54.507(d) requires applicants to file funding requests on an annual basis, to “use recurring services for which discounts have been committed by the Administrator within the funding year for which the discounts were sought,” establishes deadlines for implementation of non-recurring services, and the criteria for USAC to use to determine whether an applicant’s request for an extension of the implementation deadline can be granted.
3. 47 C.F.R. § 54.515(b) requires USAC to reimburse service providers “no later than the end of the first quarter of the calendar year following the year in which the costs were incurred and the offset against the carrier’s universal service obligation applied.”
4. 47 C.F.R. § 54.701(a) requires USAC to “administer[] the universal service support mechanisms in an efficient, effective, and competitively neutral manner.”
5. 47 C.F.R. § 54.702(h) requires USAC to take “administrative action intended to prevent waste, fraud, and abuse.”
6. The USAC Board of Directors established administrative deadlines for the submission of invoices.¹³

¹³ Universal Service Administrative Company, Board of Directors Meeting, Approval of Administrator’s Deadlines for Distributing Universal Service Support and Criteria for Exceptions to the Administrator’s Deadlines, Action Item #aABOD07 (October 24, 2000.)

Administrative Procedures

How this protects against waste, fraud and abuse:

Efficient administration of the program reduces operating costs, thereby reducing waste of USF funds.

Administrative Procedures

Administrative Procedure:

Invoice Deadline Extension

Further Detail:

USAC grants requests for extensions of time in which to invoice USAC under the circumstances listed below:

- Authorized service provider changes;
- Authorized service substitutions;
- USAC did not provide timely notice to the applicant and/or service provider. For example, the service provider's FCC Form 486 Notification Letter is returned to SLD as undeliverable;
- USAC made an error that resulted in the invoice being received into its data systems late. For example, USAC made an error in the data entry of an invoice;
- USAC delays in data entering the form resulted in the invoice being late;
- Documentation requirements necessitated third party contact or certification;
- Natural or man-made disasters prevented timely filing of invoices;
- Need for Good Samaritan Billed Entity Applicant Reimbursement (BEAR) form; and
- Circumstances beyond the service provider's control.

Rules that this furthers:

1. 47 C.F.R. § 54.507(b) provides that (with the exception of Funding Year 1998), "a funding year for the purposes of the schools and libraries cap shall be the period July 1 through June 30."
2. 47 C.F.R. § 54.507(d) requires applicants to file funding requests on an annual basis, to "use recurring services for which discounts have been committed by the Administrator within the funding year for which the discounts were sought," establishes deadlines for implementation of non-recurring services, and the criteria for USAC to use to determine whether an applicant's request for an extension of the implementation deadline can be granted.
3. 47 C.F.R. § 54.515(b) requires USAC to reimburse service providers "no later than the end of the first quarter of the calendar year following the year in which the costs were incurred and the offset against the carrier's universal service obligation applied."

Administrative Procedures

4. 47 C.F.R § 54.701(a) requires USAC to “administer[] the universal service support mechanisms in an efficient, effective, and competitively neutral manner.”
5. 47 C.F.R. § 54.702(h) requires USAC to take “administrative action intended to prevent waste, fraud, and abuse.”
6. The USAC Board of Directors established deadlines for the submission of invoices and approved the following criteria for the limited circumstances under which a deadline would be set aside:
 - a. An applicant or service provider had no basis upon which to submit forms, data or invoices before the administrative deadline (for example, a funding commitment was not issued until after the administrative deadline).
 - b. An applicant or service provider prevailed on appeal either to the Administrator or the FCC, but a decision was not rendered in time to meet the Administrator’s deadline for processing disbursements. The applicant and service provider, upon receipt of the appeal decision letter, must have filed the appropriate forms or invoices within any new timelines established by the Administrator.
 - c. The Commission granted an extension for an applicant to expend the funds and therefore it was not possible to submit the appropriate forms or invoices for payment within the Administrator’s deadlines.¹⁴
 - d. An applicant or service provider submitted the forms or invoices before the deadline and did not receive payment due to USAC error or delay.
 - e. An act of God which prevented the timely submission of forms or invoices for payment.¹⁵

How this protects against waste, fraud and abuse:

Efficient administration of the program reduces operating costs, thereby reducing waste of USF funds.

¹⁴ The administrative deadlines should be extended to match any extension granted by the FCC.

¹⁵ Universal Service Administrative Company, Board of Directors Meeting, Approval of Administrator’s Deadlines for Distributing Universal Service Support and Criteria for Exceptions to the Administrator’s Deadlines, Action Item #aABOD07 (October 24, 2000.)

Administrative Procedures

Overall

Administrative Procedure:

7-Day Process

Further Detail:

USAC's information request process for all types of reviews of submissions by applicants includes standards used by reviewers when they request information and deadlines for applicants and service providers to respond to those requests. For most requests, applicants or service providers are asked to respond to the request in seven days. If the requested information is not received, a second seven-day notice is given. USAC will grant requests for reasonable extensions. If the deadline is still not met, or if the information that has been provided is incomplete, the reviewer will make a determination based on the information on hand. Special handling procedures exist for the summer months and for part of December, when applicants may be unavailable. During those times, reviewers must not only make live contact with the appropriate contact person but must also ask the contact if they are able to respond to the inquiry at that time, or if the question needs to be deferred.

Rules that this furthers:

1. The Commission has affirmed USAC's authority to put in place administrative policies to ensure prompt review of applicants and prevent the undue delay of the application process. *E.g., In re Request for Review by Nicholas County School District, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, File No. SLD-220670, CC Dockets No. 96-45, 97-21, Order, ¶ 6 DA 02-3058 (2002). Once such policy is the seven-day policy. *See id.*
2. 47 C.F.R § 54.701(a) requires USAC to "administer[] the universal service support mechanisms in an efficient, effective, and competitively neutral manner."
3. 47 C.F.R. § 54.702(h) requires USAC to take "administrative action intended to prevent waste, fraud, and abuse."

How this protects against waste, fraud and abuse:

Efficient administration of the program reduces operating costs, thereby reducing waste of USF funds.

Administrative Procedures

Administrative Procedures

Program Integrity Assurance

Administrative Procedure:

30% Rule

Further Detail:

USAC denies the Funding Request Number (FRN) in its entirety if 30 percent or more of the FRN is for ineligible services. In Funding Year 2003, USAC began to deny FRNs in their entirety if the applicant was unable to provide documentation to substantiate 30% or more of the FRN. Denials for this reason have been appealed to the Commission, and USAC is presently holding subsequent funding decisions until the Commission decides this appeal.

Rules that this furthers:

1. 47 C.F.R. §§ 54.501(a), 54.517 authorize USAC to make disbursements to telecommunications carriers and non-telecommunications carriers for providing supported services to eligible entities.
2. 47 C.F.R. § 54.504(c) requires applicants to submit an FCC Form 471 to USAC after signing a contract for eligible services.
3. 47 C.F.R. § 54.504(c) (1) provides that “[i]f 30 percent or more of a request for discounts made in an FCC Form 471 is for ineligible services, the request shall be denied in its entirety.”
4. 47 C.F.R. § 54.522 requires USAC to “submit by June 30 of each year a draft list of services eligible for support, based on the Commission’s rules, in the following funding year.”
5. 47 C.F.R. § 54.701(a) requires USAC to “administer[] the universal service support mechanisms in an efficient, effective, and competitively neutral manner.”
6. 47 C.F.R. § 54.702(h) requires USAC to take “administrative action intended to prevent waste, fraud, and abuse.”

Administrative Procedures

How this protects against waste, fraud and abuse:

Ensures that USAC approves funding requests for eligible services only. Efficient administration of the program reduces operating costs, thereby reducing waste of USF funds.

Administrative Procedures

Program Integrity Assurance

Administrative Procedure:

Consortium Reviews

Further Detail:

Consortia leaders must have Letters of Agency for all Consortium members in order to act on their behalf.

Rules that this furthers:

1. 47 C.F.R. § 54.501 provides that consortia are eligible to receive supported services.
2. The Commission has affirmed USAC's authority to require consortia leaders "to produce Letters of Agency from each of its members expressly authorizing the consortium leader to submit an application on its behalf. *E.g., Request for Review of the Decision of the Administrator by Project Interconnect, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, File No. SLD-146858, 146854, CC Dockets No. 96-45, 97-21, Order, ¶¶ 8-9 DA 01-1620 (2002).

How this protects against waste, fraud and abuse:

Ensures that consortia leaders have authority to submit funding requests on behalf of each member of the consortia, that consortia members are aware of the funding request, and that consortia members understand the obligation to expend financial and professional resources.

Administrative Procedures

Program Integrity Assurance

Administrative Procedure:

Duplicative services

Further Detail:

USAC denies Funding Request Number(s) FRN(s) and portions of FRN(s) when USAC determines that they contain requests for duplicative services.

Rules that this furthers:

1. The Commission requires USAC to deny discounts for duplicative services. *Second Report and Order* ¶¶ 22-24.
2. The Commission defines duplicative services as “services that deliver the same functionality to the same population in the same location during the same period of time.” *Id.* ¶ 22.
3. 47 C.F.R. § 54.511(a) requires applicants to consider whether the service for which it seeks discounts is cost-effective.
4. The Commission found that “it is not cost effective for applicants to seek discounts to fund the delivery of duplicative services. Therefore, we conclude that this rule can be violated by the delivery of services that provide the same functionality for the same population in the same location during the same period of time.” *Second Report and Order* ¶ 24.

How this protects against waste, fraud and abuse:

Protects against waste of USF funds for duplicative and ensures compliance with the Commission’s competitive bidding requirements.

Administrative Procedures

Program Integrity Assurance

Administrative Procedure:

Eligibility of incidental costs

Further Detail:

USAC denies requests for incidental costs unless they include only eligible products/services that are reasonable for the scope of the project. Examples of incidental costs are contingencies fees, restore to pre-installation conditions, training and design and engineering.

Rules that this furthers:

1. 47 C.F.R. §§ 54.501(a), 54.517 authorize USAC to make disbursements to telecommunications carriers and non-telecommunications carriers for providing supported services to eligible entities.
2. 47 C.F.R. § 54.522 requires USAC to “submit by June 30 of each year a draft list of services eligible for support, based on the Commission’s rules, in the following funding year.”

How this protects against waste, fraud and abuse:

This ensures that USF funds are not disbursed for ineligible services.

Administrative Procedures

Program Integrity Assurance

Administrative Procedure:

Entity included in posting of FCC Form 470

Further Detail:

The billed entity for which funding is sought on a FCC Form 471 must have been listed as a billed entity at Item 17 of the FCC Form 470 on which the Funding Request Number (FRN) relies.

Rules that this furthers:

1. 47 C.F.R. § 54.504(b) requires the applicant to seek competitive bids by posting a FCC Form 470 in order to seek discounts.
2. The Commission requires applicants to “submit a complete description of the services they seek so that it may be posted for competing service providers to evaluate.” *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, *Report and Order*, FCC 97-157, ¶ 570 (rel. May 8, 1997) (*Universal Service Order*). The Commission further requires “the application to describe the services that the schools and libraries seek to purchase in sufficient detail to enable potential providers to formulate bids.” *Id.* ¶ 575.

How this protects against waste, fraud and abuse:

Ensures that service providers are provided with an accurate picture of the scope of the services being requested on the FCC Form 470, thereby fostering an open and competitive bid environment.

Administrative Procedures

Program Integrity Assurance

Administrative Procedure:

Mixed Bucket Review

Further Detail:

Funding Request Numbers (FRNs) cannot include service from more than one service category. The service categories specified on the FCC Forms 470 and 471 are: Telecommunications Services, Internet Access, Internal Connections, and beginning with Funding Year 2005, Maintenance Services.¹⁶

Telecommunications Services and Internet Access are Priority 1 services. Internal Connections and, beginning in Funding Year 2005 Maintenance costs, are Priority 2 services.

If an FRN contains both Priority 1 and Priority 2 services, the FRN is either reclassified as an Internal Connections FRN, or the Internal Connections portion of the FRN is removed from the FRN.

If more than 30% of an FRN for Telecommunications Services or Internet Access is for Internal Connections, then the entire FRN is reclassified as an Internal Connections FRN.

Rules that this furthers:

1. 47 C.F.R. § 54.507(g) establishes rules of priority of responding to funding requests. Under these rules, USAC must give first priority to funding requests for telecommunications services, voice mail and Internet access. 47 C.F.R. § 54.507(g)(1)(i), (ii). These are referred to as Priority 1 requests. Once USAC has funded all Priority 1 requests, it can then fund internal connections requests. 47 C.F.R. § 54.507(g)(1)(iii). These are referred to as Priority 2 requests.

How this protects against waste, fraud and abuse:

This ensures that funding decisions are made consistent with the rules of priority and that applicants that do not qualify for Priority 2 services in a given year because there are insufficient funds do not get such services as part of their Priority 1 request.

¹⁶ Fifth Report and Order ¶¶ 20-21.

Administrative Procedures

Program Integrity Assurance

Administrative Procedure:

On Premise Equipment for End-to-End Priority 1 Service

Further Detail:

In general, equipment that is located at the applicant site is considered for funding under the eligibility requirements for Internal Connections. However, if the on-premise equipment is an integral part of an end-to-end Priority 1 service, recurring or non-recurring charges for that service may include the cost of on-premise equipment used by the provider to provide that Priority 1 service. Only certain types of equipment and configurations meet the eligibility requirements for Priority 1 services.

Rules that this furthers:

1. 47 C.F.R. §§ 54.501(a), 54.517 authorize USAC to make disbursements to telecommunications carriers and non-telecommunications carriers for providing supported services to eligible entities.
2. 47 C.F.R. § 54.507(g) establishes rules of priority of responding to funding requests. Under these rules, USAC must give first priority to funding requests for telecommunications services, voice mail and Internet Access. 47 C.F.R. § 54.507(g)(1)(i), (ii). These are referred to as Priority 1 requests. Once USAC has funded all Priority 1 requests, it can then fund internal connections requests. 47 C.F.R. § 54.507(g)(1)(iii). These are referred to as Priority 2 requests.
3. USAC funds on-premise Priority 1 equipment if the equipment is an integral component of the Telecommunications Service or Internet Access Service. Discounts for services that include charges for on-premise Priority 1 equipment are permissible when the following conditions are met:
 - a. The on-premise equipment will be provided by the same service provider that provides the eligible telecommunications or Internet access service of which it is a part.
 - b. Responsibility for maintaining the equipment rests with the service provider, not the school or library.

Administrative Procedures

- c. Ownership of the equipment will not transfer to the school or library in the future, and the relevant contract or lease does not include an option to purchase the equipment by the school or library.
- d. Upfront, capital charges of the on-premise equipment are less than 67% of total charges (recurring plus non-recurring) in the funding year.
- e. The equipment will not be used by the school or library for any purpose other than receipt of the eligible telecommunications or Internet access service of which it is a part.
- f. The Local Area Network of the school or library is functional without dependence on the equipment.
- g. There is no contractual, technical, or other limitation that would prevent the service provider from using its network equipment in part for other customers.

Request for Review of the Decision of the Universal Service Administrator by Integrated Systems and Internet Solutions, Inc., Changes to the Board of Directors of the National Exchange Carrier Association, Inc., File No. SLD-18132, CC Dockets No. 96-45, 97-21, Order, FCC 99-216 (1999).

How this protects against waste, fraud and abuse:

This ensures that funding requests are made consistent with the Commission's rules of priority and that applicants that do not qualify for Priority 2 services in a given year because of insufficient funds do not get such services as part of their Priority 1 request.

Administrative Procedures

Program Integrity Assurance

Administrative Procedure:

Verify that applicant posted a FCC Form 470 seeking the category of service for which it seeks discounts on the FCC Form 471.

Further Detail:

USAC verifies the service categories for which discounts are sought for each Funding Request Number (FRN) to ensure that on the FCC Form 470 associated with that FRN, the applicant indicated that it was seeking that type of service. The service categories specified on the FCC Forms 470 and 471 are: Telecommunications Services, Internet Access, Internal Connections, and beginning with Funding Year 2005, Maintenance Services.¹⁷

If the applicant did not indicate that it was seeking the category of service on the associated FCC Form 470 for which it seeks discounts on the FCC Form 471, USAC denies the FRN.

Rules that this furthers:

1. 47 C.F.R. § 54.504(b) requires the applicant to seek competitive bids by posting a FCC Form 470 in order to seek discounts.
2. 47 C.F.R. § 54.507(g) establishes rules of priority governing USAC's response to FCC Form 471 applications for discounts. Under these rules, USAC must give first priority to funding requests for telecommunications services, voice mail and Internet Access. 47 C.F.R. § 54.507(g)(1)(i), (ii). These are referred to as Priority 1 requests. Once USAC has funded all Priority 1 requests, it can then fund internal connections requests. 47 C.F.R. § 54.507(g)(1)(iii). These are referred to as Priority 2 requests.
3. The Commission requires applicants to "submit a complete description of the services they seek so that it may be posted for competing service providers to evaluate." *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, *Report and Order*, FCC 97-157, ¶ 570 (rel. May 8, 1997) (*Universal Service Order*). The Commission further requires "the application to describe the services that the schools and libraries seek to purchase in sufficient detail to enable potential providers to formulate bids." *Id.* ¶ 575.

¹⁷ Fifth Report and Order ¶¶ 20-21.

Administrative Procedures

How this protects against waste, fraud and abuse:

Ensures that competing service providers have equal notice of the services for which the applicant seeks competitive bids.

Administrative Procedures

Program Integrity Assurance

Administrative Procedure:

Remote access capabilities in products or services

Further Detail:

Remote access capabilities in products or services are eligible for funding if the access is not used, or if it is used only from other eligible locations.

USAC requires applicants whose funding requests include remote access capability to make the following certification: “The remote access equipment for which I seek discounts either will not be used to provide remote access in the funding year or, if it is to be used remotely, I will take steps to ensure that only entities eligible for support under the Schools and Libraries Support Mechanism have the capability to access it. In the latter case, for example, access will not be available from homes or other non-school or non-library sites.”

Rules that this furthers:

1. 47 C.F.R. §§ 54.501(a), 54.517 authorize USAC to make disbursements to telecommunications carriers and non-telecommunications carriers for providing supported services to eligible entities.
2. 47 C.F.R. § 54.522 requires USAC to “submit by June 30 of each year a draft list of services eligible for support, based on Commission rules, in the following funding year.”
3. 47 C.F.R. § 54.518 provides that the costs associated with wide area networks to provide telecommunications services are not eligible for funding.
4. 47 C.F.R. § 54.500(m) defines a “wide area network” as “a voice or data network that provides connections from one or more computers within an eligible school or library to one or more computers or networks that are external to such eligible school or library. Excluded from this definition is a voice or data network that provides connections between or among instructional buildings of a single school campus or between or among non-administrative buildings of a single library branch.”
5. The Commission requires USAC to fund remote access routers if the wide area network functionality is an additional and peripheral functionality of the router, or if the applicant does not intend to use the router. *Request for*

Administrative Procedures

Review of the Decision by the Universal Service Administrator by White Sulphur Springs School District, Changes to the Board of Directors of the National Exchange Carrier Association, Inc., File No. SLD-82064, CC Dockets No. 96-45, 97-21, Order, ¶ 7 DA 99-2537 (1999).

How this protects against waste, fraud and abuse:

Ensures that to the extent that equipment is capable of allowing connections to or from ineligible sites, supported services are not delivered to the ineligible sites.

Administrative Procedures

Program Integrity Assurance

Administrative Procedure:

Split Funding Request Number(s)

Further Detail:

USAC will split a Funding Request Number (FRN) between multiple providers of service. This can happen either as a result of a change in provider during the funding year, or due to billing changes at the service provider. The total amount of the two FRNs cannot exceed the amount of the original FRN.

Rules that this furthers:

1. 47 C.F.R. § 54.504(b) requires applicants to seek competitive bids by posting a FCC Form 470 to the USAC web site for a minimum of 28 days to initiate the competitive bidding process.
2. 47 C.F.R. § 54.511(a) requires applicants to “carefully consider all bids submitted and must select the most cost-effective service offering. In determining which service offering is the most cost-effective, entities may consider relevant factors other than pre-discount process submitted but price should be the primary factor considered.”
3. 47 C.F.R. § 54.504(c) requires applicants to submit a FCC Form 471 to USAC after signing a contract for eligible services.
4. Commission rules allow applicants to request SPIN changes after USAC has issued a Funding Commitment Decision Letter when an applicant certifies that (1) the SPIN change is allowed under state and local procurement rules and under the terms of the contract between the applicant and its service provider, and (2) the applicant has notified its original service provider of its intent to change service providers. *Request for Review of the Decision of the Universal Service Administrator by Copan Public Schools, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, File No. SLD-26231, CC Dockets No. 96-45, 97-21, Order, ¶ 6, DA 00-100 (2000).
5. 47 C.F.R § 54.701(a) requires USAC to “administer[] the universal service support mechanisms in an efficient, effective, and competitively neutral manner.”

Administrative Procedures

6. 47 C.F.R. § 54.702(h) requires USAC to take “administrative action intended to prevent waste, fraud, and abuse.”
7. Procedures that provide for splitting FRNs were not established by Commission rules, but the procedure has been used based on informal guidance from the Commission.

How this protects against waste, fraud and abuse:

Ensures that applicants are able to receive supported services when it is necessary for an applicant to change service provider(s) for all or a portion of a FRN after USAC has made the funding commitment.

Administrative Procedures

Program Integrity Assurance

Administrative Procedure:

Tainted FCC Forms 470

Further Detail:

When USAC determines that there is service provider contact information on a FCC Form 470 for a service provider that participated in the competitive bidding process initiated by that FCC Form 470, all Funding Request Numbers (FRNs) associated with that FCC Form 470 are denied.

Rules that this furthers:

1. 47 C.F.R. § 54.504(b) requires applicants to seek competitive bids by posting an FCC Form 470 to the USAC website for a minimum of 28 days.
2. 47 C.F.R. § 54.511(a) requires applicants to “carefully consider all bids submitted and must select the most cost-effective service offering. In determining which service offering is the most cost-effective, entities may consider relevant factors other than pre-discount process submitted but price should be the primary factor considered.”
3. The Commission requires USAC to deny Funding Request Numbers (FRNs) when any service provider contact information appears on an FCC Form 470 for a service provider that participated in the competitive bidding process initiated by that FCC Form 470. *Request for Review of the Decision of the Universal Service Administrator by MasterMind Internet Services, Inc., Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, SPIN – 143006149, CC Docket No. 96-45, Order FCC 00-167 (2000).

How this protects against waste, fraud and abuse:

Ensures that the competitive bidding process is not tainted by allowing service providers that will compete in the process to be associated with the FCC Form 470 that initiates the competitive bidding.

Administrative Procedures

Program Integrity Assurance

Administrative Procedure:

Tariff and Month-to-Month Services

Further Detail:

USAC denies Funding Request Number(s) (FRNs) for non-contracted Tariff and Month-to-Month Services unless the applicant can show that a FCC Form 470 was posted to initiate a competitive bidding process for those services in each funding year.

Rules that this furthers:

1. 47 C.F.R. § 54.504(b) requires applicants to seek competitive bids by posting an FCC Form 470 to the USAC website for a minimum of 28 days.
2. 47 C.F.R. § 54.511(c) establishes the concept of a limited exemption from the 28-day competitive bid requirement when applicants have existing contracts as defined by Commission rules.
3. “Services that are covered by a qualified existing contract for all or part of the funding year do not require the filing of a FCC Form 470; a qualified existing contract is a signed contract executed pursuant to the posting of a FCC Form 470 in a previous year.” *Request for Review of the Decision by the Universal Service Administrator by Tomahawk School District, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, File No. SLD-183249, CC Docket No. 96-45, 97-21, Order, ¶ 5, DA 01-1036 (2001).
4. “Tariff services are telecommunications services purchased at regulated rates for which the applicant does not have a signed, written contract.” *Id.*

How this protects against waste, fraud and abuse:

Requires competitive bidding for tariff and month-to-month services on an annual basis.

Administrative Procedures

Program Integrity Assurance

Administrative Procedure:

Amortization of Upfront Costs for Service Provider Infrastructure

Further Detail:

USAC funds a certain amount of upfront costs associated with service provider infrastructure on an amortized basis. USAC applies a \$500,000.00 threshold to apply this requirement based on informal guidance from Commission staff.

Rules that this furthers:

1. 47 C.F.R. §§ 54.501(a), 54.517 authorize USAC to make disbursements to telecommunications carriers and non-telecommunications carriers for providing supported services to eligible entities.
2. 47 C.F.R. § 54.522 requires USAC to “submit by June 30 of each year a draft list of services eligible for support, based on the Commission’s rules, in the following funding year.”
3. 47 C.F.R. § 54.507(e) requires USAC to “commit funds to cover the pro rata portion of [. . .] long term contract(s) scheduled to be delivered during the funding year for which universal service support is sought.”
4. The Commission requires USAC to fund “costs for infrastructure investment associated with the provision of telecommunications services, provided that: (1) the specific services and uses of those services are eligible for universal service funding, and (2) the costs for service to be provided over shared-use infrastructure are properly allocated so that the fund only pays for the costs associated with providing services to the eligible schools or libraries.”
Request for Review of the Decision of the Universal Service Administrator by Brooklyn Public Library, Changes to the Board of Directors of the National Exchange Carrier Association, Inc., File No. SLD-149423, CC Docket No. 96-45, 97-21, Order, ¶ 12, FCC 00-354 (2000); *See also Request for Review of the Decision of the Universal Service Administrator by Integrated Systems and Internet Solutions, Inc., Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, File No. SLD-18132, CC Dockets No. 96-45, 97-21, Order, FCC 99-216 (1999).

Administrative Procedures

How this protects against waste, fraud and abuse:

Ensures that USF funds do not pay for ineligible services.

Administrative Procedures

Program Integrity Assurance

Administrative Procedure:

Contract extensions based on the applicable deadline for implementation of non-recurring services.

Further Detail:

USAC accepts applicant and service provider contract extensions based on the applicable deadline for implementation of non-recurring services as a result of the date of the Funding Commitment Decision Letter.

USAC accepts applicant and service provider extension of contracts based on the applicable deadline for implementation of non-recurring services as the result of extensions of the implementation deadline.

Rules that this furthers:

1. 47 C.F.R. § 54.504(c) requires applicants to submit an FCC Form 471 to USAC after signing a contract for eligible services.
2. 47 C.F.R. § 54.507(d) provides that “[t]he deadline for implementation of non-recurring services is September 30 following the close of the funding year.”
3. 47 C.F.R. § 54.507(d) provides that USAC can grant extensions of the implementation deadline for non-recurring services if the applicant satisfies the criteria enumerated at 47 C.F.R. § 54.507(d)(1) through(d)(4).

How this protects against waste, fraud and abuse:

Ensures compliance with the requirement that funding requests be based on signed contracts when a deadline for implementation of non-recurring services is appropriate.

Administrative Procedures

Service Substitutions

Administrative Procedure:

Service Substitution Deadline

Further Detail:

Service substitutions must be requested no later than the last date to invoice for the Funding Request Number (FRN) for the service.

Rules that this furthers:

1. 47 C.F.R. § 54.507(b) provides that (with the exception of Funding Year 1998), “a funding year for the purposes of the schools and libraries cap shall be the period July 1 through June 30.”
2. 47 C.F.R. § 54.507(d) requires applicants to file funding requests on an annual basis, to “use recurring services for which discounts have been committed by the Administrator within the funding year for which the discounts were sought,” establishes deadlines for implementation of non-recurring services, and the criteria for USAC to use to determine whether an applicant’s request for an extension of the implementation deadline can be granted.
3. 47 C.F.R § 54.701(a) requires USAC to “administer[] the universal service support mechanisms in an efficient, effective, and competitively neutral manner.”
4. 47 C.F.R. § 54.702(h) requires USAC to take “administrative action intended to prevent waste, fraud, and abuse.”

How this protects against waste, fraud and abuse:

Efficient administration of the program reduces operating costs, thereby reducing waste of USF funds.

Administrative Procedures

SPIN Changes

Administrative Procedure:

Global SPIN changes

Further Detail:

Service Providers submit a FCC Form 498 to USAC to obtain a Service Provider Identification Number (SPIN). On the FCC Form 498, the service provider indicates the type of entity, and provides certain information including the 499 Filer ID if applicable, Federal Employer Identification Number, Contact Information and Remittance Information for each support mechanism, certification letter, and certification.

Each Funding Request Number (FRN) on Block 5 of the FCC Form 471 specifies the Service Provider Name and SPIN that will be providing the services.

USAC approves SPIN changes that are requested by a service provider for all Funding Request Numbers (FRNs) that are affected by either merger or acquisition.

Rules that this furthers:

1. 47 C.F.R. § 54.504(b) requires applicants to seek competitive bids by posting an FCC Form 470 to the USAC website for a minimum of 28 days to initiate the competitive bidding process.
2. 47 C.F.R. § 54.511(a) requires applicants to “carefully consider all bids submitted and must select the most cost-effective service offering. In determining which service offering is the most cost-effective, entities may consider relevant factors other than pre-discount process submitted but price should be the primary factor considered.”
3. 47 C.F.R. § 54.504(c) requires applicants to submit an FCC Form 471 to USAC after signing a contract for eligible services.
4. Commission rules allows applicants to request SPIN changes after USAC has issued a Funding Commitment Decision Letter when an applicant certifies that (1) the SPIN change is allowed under state and local procurement rules and under the terms of the contract between the applicant and its service provider, and (2) the applicant has notified its original service provider of its intent to change service providers. *Request for Review of the Decision of the*

Administrative Procedures

Universal Service Administrator by Copan Public Schools, Changes to the Board of Directors of the National Exchange Carrier Association, Inc., File No. SLD-26231, CC Dockets No. 96-45, 97-21, Order, ¶ 6, DA 00-100 (2000).

5. 47 C.F.R § 54.701(a) requires USAC to “administer[] the universal service support mechanisms in an efficient, effective, and competitively neutral manner.”
6. 47 C.F.R. § 54.702(h) requires USAC to take “administrative action intended to prevent waste, fraud, and abuse.”

How this protects against waste, fraud and abuse:

Ensures that disbursements are made to the service provider that provided the goods and services and that submitted the invoice to USAC. Ensures the integrity of the competitive bidding process by allowing applicants to change service providers only under enumerated circumstances.

Administrative Procedures

SPIN Changes

Administrative Procedure:

Operational SPIN change

Further Detail:

USAC changes the service provider(s) associated with a Funding Request Number (FRN) after USAC has made a funding commitment decision upon request by the applicant if the applicant makes the certifications enumerated below.

Rules that this furthers:

1. 47 C.F.R. § 54.504(b) requires applicants to seek competitive bids by posting an FCC Form 470 to the USAC website for a minimum of 28 days to initiate the competitive bidding process.
2. 47 C.F.R. § 54.511(a) requires applicants to “carefully consider all bids submitted and must select the most cost-effective service offering. In determining which service offering is the most cost-effective, entities may consider relevant factors other than pre-discount process submitted but price should be the primary factor considered.”
3. 47 C.F.R. § 54.504(c) requires applicants to submit an FCC Form 471 to USAC after signing a contract for eligible services.
4. The Commission allows applicants to request SPIN changes after USAC has issued a Funding Commitment Decision Letter when an applicant certifies that (1) the SPIN change is allowed under state and local procurement rules and under the terms of the contract between the applicant and its service provider, and (2) the applicant has notified its original service provider of its intent to change service providers. *Request for Review of the Decision by the Universal Service Administrator by Copan Public Schools, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, File No. SLD-26231, CC Dockets No. 96-45, 97-21, Order, ¶ 6, DA 00-100 (2000).
5. 47 C.F.R § 54.701(a) requires USAC to “administer[] the universal service support mechanisms in an efficient, effective, and competitively neutral manner.”

Administrative Procedures

-
6. 47 C.F.R. § 54.702(h) requires USAC to take “administrative action intended to prevent waste, fraud, and abuse.”

How this protects against waste, fraud and abuse:

Ensures that applicants are able to receive supported services when it is necessary for an applicant to change service providers after USAC has made the funding commitment. Ensures the integrity of the competitive bidding process by allowing applicants to change service providers only under enumerated circumstances.

Administrative Procedures

SPIN Changes

Administrative Procedure:

Operational SPIN change deadline

Further Detail:

Operational SPIN changes must be requested by the last date to invoice for the Funding Request Number (FRN).

Rules that this furthers:

1. 47 C.F.R. § 54.507(b) provides that (with the exception of Funding Year 1998), “a funding year for the purposes of the schools and libraries cap shall be the period July 1 through June 30.”
2. 47 C.F.R. § 54.507(d) requires applicants to file funding requests on an annual basis, to “use recurring services for which discounts have been committed by the Administrator within the funding year for which the discounts were sought,” establishes deadlines for implementation of non-recurring services, and the criteria for USAC to use to determine whether an applicant’s request for an extension of the implementation deadline can be granted.
3. 47 C.F.R § 54.701(a) requires USAC to “administer[] the universal service support mechanisms in an efficient, effective, and competitively neutral manner.”
4. 47 C.F.R. § 54.702(h) requires USAC to take “administrative action intended to prevent waste, fraud, and abuse.”

How this protects against waste, fraud and abuse:

Efficient administration of the program reduces operating costs, thereby reducing waste of USF funds.